

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:05CV390
(1:98CR219-10)

THOMAS LOWELL EPPS,)	
)	
Petitioner,)	
)	
Vs.)	<u>ORDER OF DISMISSAL</u>
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
_____)	

THIS MATTER is before the Court on the Petitioner's motion for a writ of *habeas corpus* pursuant to 28 U.S.C. § 2241.

The Petitioner is currently incarcerated at the Federal Correctional Facility at Seymour Johnson Air Force Base in Goldsboro, North Carolina. He advises that he will shortly be transferred to a federal correctional facility in Kentucky. Petitions for writs of *habeas corpus* must be filed in the district of confinement. *Rumsfeld v. Padilla*, 542 U.S. 426 (2004); *United States v. Little*, 392 F.3d 671 (4th Cir. 2004). Therefore, the undersigned may not entertain this petition.

IT IS, THEREFORE, ORDERED that the Petitioner's motion for a writ of *habeas corpus* pursuant to 28 U.S.C. § 2241 is hereby **DISMISSED**.

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Signed: December 30, 2005

A handwritten signature in black ink, appearing to read 'LH Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

